

SECOND REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 1153**  
**93RD GENERAL ASSEMBLY**

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Reported from the Committee on Financial and Governmental Organizations and Elections, April 12, 2006, with recommendation that the Senate Committee Substitute do pass and be placed on the Consent Calendar.

3236S.06C

TERRY L. SPIELER, Secretary.

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**AN ACT**

To repeal section 701.353, RSMo, and to enact in lieu thereof one new section relating to the elevator safety board, with an emergency clause.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 701.353, RSMo, is repealed and one new section  
2 enacted in lieu thereof, to be known as section 701.353, to read as follows:

701.353. 1. There is hereby established an "Elevator Safety Board" to be  
2 composed of [eleven] **thirteen** members, one of whom shall be the director of the  
3 department of public safety, **or his or her designee**. The remaining [ten]  
4 **twelve** members of the board shall be appointed by the governor with the advice  
5 and consent of the senate. Each member appointed by the governor shall be  
6 appointed for a term of five years or until his **or her** successor is appointed. The  
7 governor shall fill any vacancy on the board for the remainder of the unexpired  
8 term with a representative of the same interest as that of the member whose term  
9 is vacant. No more than [six] **seven** members of the board, who are not  
10 employees of state or local government, shall be members of the same political  
11 party.

12 2. Two members of the board shall represent the interests of labor and  
13 shall be involved in the elevator industry. Two members of the board shall be  
14 representatives of manufacturers of elevators used in this state. **One member**  
15 **of the board shall be a representative of an elevator company that**  
16 **installs, services, and maintains elevators and elevator-related**  
17 **equipment in the state who is not an elevator manufacturer. One**

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

18 member of the board shall be an architect or mechanical engineer. One member  
19 of the board shall be a representative of owners of buildings affected by sections  
20 701.350 to 701.380. Two members shall be building officials with responsibility  
21 for administering elevator regulations, one from each municipality having a  
22 population of at least three hundred fifty thousand inhabitants. One member of  
23 the board shall be a representative of the disabled community who is familiar  
24 with the provisions of the Federal Americans with Disabilities Act. One member  
25 shall be a representative of the special **elevator** inspectors. **One member shall**  
26 **be a state licensed professional engineer.**

27 3. The director of the department shall call the first meeting of the board  
28 within sixty days after all members have been appointed and qualified. The  
29 members from among their membership shall elect a chairman. After the initial  
30 meeting the members shall meet at the call of the chairman, but shall meet at  
31 least four times per year. **[Six] Seven** members of the board shall constitute a  
32 quorum.

33 4. The members of the board shall serve without pay, but they shall  
34 receive per diem expenses in an equivalent amount as allowed for members of the  
35 general assembly.

Section B. Because immediate action is necessary to ensure appropriate  
2 membership on the elevator safety board the repeal and reenactment of section  
3 A of this act is deemed necessary for the immediate preservation of the public  
4 health, welfare, peace, and safety, and is hereby declared to be an emergency act  
5 within the meaning of the constitution, and the repeal and reenactment of section  
6 A of this act shall be in full force and effect upon its passage and approval.

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